

# EXTENSIONS OF REMARKS

## THE HISTORY OF THE PRIVATE CALENDAR OF THE U.S. HOUSE OF REPRESENTATIVES

**HON. F. JAMES SENSENBRENNER, JR.**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 1999*

Mr. SENSENBRENNER. Mr. Speaker, I would like to take this opportunity to set forth some of the history behind, as well as describe, the workings of the Private Calendar. I hope this might be of some value to the Members of this House, especially our newer colleagues.

Of the five House Calendars, the Private Calendar is the one to which all private bills are referred. Private bills deal with specific individuals, corporations, institutions, and so forth, as distinguished from public bills which deal with classes only.

Of the 108 laws approved by the First Congress, only 5 were private laws. But their number quickly grew as the wars of the new Republic produced veterans and veterans' widows seeking pensions and as more citizens came to have private claims and demands against the Federal Government. The 49th Congress, 1885 to 1887, the first Congress for which complete workload and output data is available, passed 1,031 private laws, as compared with 434 public laws. At the turn of the century the 56th Congress passed 1,498 private laws and 443 public laws, a better than three to one ratio.

Private bills were referred to the Committee on the Whole House as far back as 1820, and a calendar of private bills was established in 1839. These bills were initially brought before the House by special orders, but the 62nd Congress changed this procedure by its rule XXIV, clause six which provided for the consideration of the Private Calendar in lieu of special orders. This rule was amended in 1932, and then adopted in its present form on March 22, 1935.

A determined effort to reduce the private bill workload of the Congress was made in the Legislative Reorganization Act of 1946. Section 131 of that Act banned the introduction or the consideration of four types of private bills: first, those authorizing the payment of money for pensions; second, for personal or property damages for which suit may be brought under the Federal tort claims procedure; third, those authorizing the construction of a bridge across a navigable stream, or fourth, those authorizing the correction of a military or naval record.

This ban afforded some temporary relief but was soon offset by the rising postwar and cold war flood for private immigration bills. The 82nd Congress passed 1,023 private laws, as compared with 594 public laws. The 88th Congress passed 360 Private Laws compared with 666 Public Laws.

Under rule XXIV, clause six, the Private Calendar is called the first and third Tuesday of

each month. The consideration of the Private Calendar bills on the first Tuesday is mandatory unless dispensed with by a two-thirds vote. On the third Tuesday, however, recognition for consideration of the Private Calendar is within the discretion of the Speaker and does not take precedence over other privileged business in the House.

On the first Tuesday of each month, after disposition of business on the Speaker's table for reference only, the Speaker directs the call of the Private Calendar. If a bill called is objected to by two or more Members, it is automatically recommitted to the Committee reporting it. No reservation of objection is entertained. Bills unobjected to are considered in the House in the Committee of the Whole.

On the third Tuesday of each month, the same procedure is followed with the exception that omnibus bills embodying bills previously rejected have preference and are in order regardless of objection.

Such omnibus bills are read by paragraph, and no amendments are entertained except to strike out or reduce amounts or provide limitations. Matters so stricken out shall not be again included in an omnibus bill during that session. Debate is limited to motions allowable under the rule and does not admit motions to strike out the last word or reservation of objections. The rules prohibit the Speaker from recognizing Members for statements or for requests for unanimous consent for debate. Omnibus bills so passed are thereupon resolved in their component bills, which are engrossed separately and disposed of as if passed separately.

Private Calendar bills unfinished on one Tuesday ago over to the next Tuesday on which such bills are in order and are considered before the call of bills subsequently on the calendar. Omnibus bills follow the same procedure and go over to the next Tuesday on which that class of business is again in order. When the previous question is ordered on a Private Calendar bill the bill comes up for disposition on the next legislative day.

Mr. Speaker, I would also like to describe to the newer Members the Official Objectors system the House has established to deal with the great volume of private bills.

The Majority Leader and the Minority Leader each appoint three Members to serve as Private Calendar Objectors during a Congress. The Objectors are on the Floor ready to object to any private bill which they feel is objectionable for any reason. Seated near them to provide technical assistance are the majority and minority legislative clerks.

Should any Member have a doubt or questions about a particular private bill, he or she can get assistance from objectors, their clerks, or from the Member who introduced the bill.

The great volume of private bill, and the desire to have an opportunity to study them carefully before they are called on the Private Calendar has caused the six objectors to agree upon certain ground rules. The rules

limit consideration of bills placed on the Private Calendar only shortly before the calendar is called. With this agreement adopted on April 21, 1999, the Members of the Private Calendar Objectors Committee have agreed that during the 106th Congress, they will consider only those bills which have been on the Private Calendar for a period of seven (7) days, excluding the day the bill is reported and the day the calendar is called. Reports must be available to the Objectors for three (3) calendar days.

It is agreed that the majority and minority clerks will not submit to the Objectors any bills which do not meet this requirement.

This policy will be strictly enforced except during the closing days of a session when the House rules are suspended.

This agreement was entered into by: The gentleman from Wisconsin (Mr. SENSENBRENNER), the gentleman from North Carolina (Mr. COBLE), the gentleman from Pennsylvania (Mr. GEKAS), the gentleman from Virginia (Mr. BOUCHER), and the gentlelady from Connecticut (Ms. DELAURO).

I feel confident that I speak from my colleagues when I request all Members to enable us to give the necessary advance consideration to private bills by not asking that we depart from the above agreement unless absolutely necessary.

## TRIBUTE TO FBI NATIONAL ACADEMY GRADUATES

**HON. BOB SCHAFFER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 1999*

Mr. SCHAFFER. Mr. Speaker, today I rise to recognize a young man dedicated to a career of service and protection. On March 26, 1999, Commander Charles Austin Baker of the Commerce City Police Department, Commerce City, CO., graduated from the 196th session of the FBI National Academy in Quantico, Virginia.

Each year the FBI National Academy selects several of our nation's top law enforcement officers to participate in an extensive 11-week training program. Throughout this training, particular emphasis is placed on leadership development. Courses in the program relate to Police management, Behavioral Science, Criminal Law, Law enforcement, Communication Arts, Forensic Science, and Health/Fitness. After Graduation, they expect that these officers will be prepared to assume even greater responsibilities and pass on to others the benefits of their advanced training.

Mr. Speaker, it is my privilege to congratulate Commander Baker and all of the FBI National Academy graduates. With confidence, I look forward to their leadership in America.

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